IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

FILED

WHEN STARS DSIRT COURT

DASHO OF THE MESON

UNITED STATES OF AMERICA,

Plaintiff,

VS.

06 APR 19 AM IO: 57

CR NO. 05-1849-JH/L-POUE

DANA JARVIS, et al.,

Defendant.

NOTICE OF NON-AVAILABILITY

COMES NOW, counsel for Defendant Geno Berthod, Martin Lopez, III, P.C. (Martin Lopez, III) and states that he will be unavailable for hearings in this matter from August 11, 2006 through August 15, 2006.

Respectfully submitted,

MARTIN LOPEZ, III A Professional Corporation

Martin Lopez, III

Attorney for Defendant Berthod 1500 Mountain Rd. NW

Albuquerque, New Mexico 87104

Tele: (505) 243-2900

I HEREBY CERTIFY that a true and correct copy of the foregoing was forwarded via facsimile to Assistant U.S. Attorney, James Braun this day of April, 2006.

Martin Lopez, III

